

Committee Members:  
Frank Menn  
Ryan Vickers  
Brenda Wagner  
Harry Zimmerman  
Bill Poletti

**A G E N D A**  
**COMMUNITY COMMITTEE**  
September 16, 2020 – 7:00 p.m.  
Fairview Heights City Hall  
10025 Bunkum Road  
Recreation Room at City Hall  
(Door entrance is on the south end of the City Hall Bldg.  
Parking behind the Police Department)  
10025 Bunkum Road  
Fairview Heights, IL 62208  
or  
via Webex or conference call  
Phone Number: 1-650-215-5226 Access Code: 163 531 4492

**Public Participation**  
Approval of Minutes – [June 17, 2020](#)

***Parks & Recreation***  
***Alderman Brenda Wagner, Chairman***

1. [Director's Report – Discussion regarding Director's Report](#)

***Planning***  
***Alderman Harry Zimmerman, Chairman***

1. [Director's Report](#)
2. [PC-04-20, Special Use Permit \(SUP\) with Site Development Plan to allow the construction of a restaurant with drive-thru at 6565 N. Illinois Avenue](#)

***Development***  
***Alderman Bill Poletti, Chairman***

1. Update from The Fource on Branding Campaign
2. [Application for Enterprise Zone Incentives](#)
3. [Director's Report](#)
4. Review of Economic Indications (Development Dashboard)

**COMMUNITY COMMITTEE MINUTES**  
**Wednesday, June 17, 2020 – 7:00 p.m.**  
**Via Audio & Video Teleconference**

**Committee Members in attendance** –Frank Menn, Ryan Vickers, Brenda Wagner, Harry Zimmerman, Bill Poletti, Mayor Mark Kupsy, Ex-officio

**Committee Members absent** –

**Other Aldermen and Elected Official in attendance** – Pat Baeske, Josh Frawley, Pat Peck, City Clerk Karen Kaufhold

**Others in attendance** - Parks and Recreation Director Angela Beaston, Economic Development Director Paul Ellis, Land Use and Development Director Andrea Riganti, City Attorney Andrew Hoerner, Tom Faulkner, Fource Group

**Recorder** – Cheryl Kleb

**Public Participation** – None.

**Approval of February 19, 2020 minutes**

Motion and second to approve and amend said minutes were made by Committee Members Bill Poletti/ Harry Zimmerman, as follows:

Page 1, under **Public Participation**, add: Roger Lowery, business owner, spoke regarding the zoning of the cannabis dispensatory.

Motion and second to approve and amend the February 19, 2020 minutes as amended were made by Bill Poletti/Harry Zimmerman. Motion carried.

**Development Committee**

*Alderman Bill Poletti, Chairman*

**“All In” Branding Campaign update from The Fource Group**

Director Ellis introduced Tom Faulkner with the Fource Group who gave a brief update on the on the “All In” Branding Campaign.

**Economic Development Director’s Report**

Director Ellis presented the Director’s and Sales Tax Reports to Committee for review. There were no questions.

**Parks & Recreation Committee**

*Alderman Brenda Wagner, Chairman*

**Parks and Recreation Director’s Report**

Director Beaston presented the Director’s written report to Committee for review. There were no questions.

**Planning Committee**

*Alderman Harry Zimmerman, Chairman*

**Land Use & Development Director's Report**

Director Riganti presented the Director's report to Committee for review.

Director Riganti announced that the parking requirements have been relaxed during this time for restaurants, in order to accommodate outdoor seating for their customers. Additionally, she stated that her department has created a fast track application process for those affected businesses as well. Committee discussed the possibility of future zoning modifications to allow permanent outdoor seating at restaurants.

**PC 02-20 Special Use Permit – 6535 North Illinois Avenue**

Director Riganti briefed Committee on Planning Commission case PC02-20, a Special Use Permit (SUP) with Site Development Plan to allow the construction of a bank at 6535 North Illinois Avenue was requested by Chad Fairbanks.

Applicant was present and available for questions.

Motion and second to recommend to City Council approval of case PC02-20, a Special Use Permit (SUP) with Site Development Plan to allow the construction of a bank at 6535 North Illinois Avenue in accordance with the recommendation of the Planning Commission were made by Aldermen Brenda Wagner/Bill Poletti. Motion carried.

Motion and second to adjourn were made by Bill Poletti/Brenda Wagner. Motion carried.

**Roll Call Committee Members in attendance** -Frank Menn, Ryan Vickers, Brenda Wagner, Harry Zimmerman, Bill Poletti, Mayor Mark Kupsky, Ex-officio

Meeting adjourned at 7:43 p.m.

Submitted By:

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Recorder



## INTER OFFICE MEMO

TO: Elected Officials

FROM: Angela Beaston, Director of Parks and Recreation

DATE: September 14, 2020

SUBJECT: Parks & Recreation Committee Agenda Overview

**Director's Report:** The following is a synopsis of the Parks and Recreation Department:

**Recreation Department:** The Recreation Department continues to operate with very limited resources due to the impact of Covid-19. The Department is currently organizing the events and classes for the October magazine update. As mentioned last month, the Parks and Recreation Department will publish an electronic monthly newsletter in lieu of the quarterly issues that typically are mailed to the residents of Fairview Heights. By publishing an electronic monthly magazine, it will allow the department to adjust to the on-going challenges of Covid-19. The newsletters will be available on the REC website at [www.recfh.com](http://www.recfh.com).

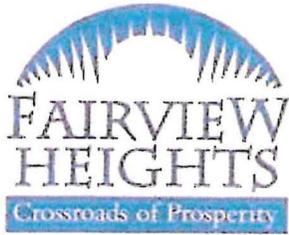
**Parks Department:** At this time, all playgrounds remain closed and most facilities are open but under new social guideline restrictions allowing groups of 30 or less throughout most areas of the park. We have noticed an increase in vandalism and disturbance issues throughout several of our parks, these issues are most likely linked to Covid-19 constraints.

The City received funding from St. Clair County for lighting on Miracle League Field. The installation of the lights began on September 8<sup>th</sup> and should be completed by the end of September. This project is 100% paid for by St. Clair County 2019 Park Project Funds.

Over the past 6 months there has been a significant decline in the historic Log Cabin at Pleasant Ridge Park. Initially funding was going to be requested in the 20-21 Fiscal Budget, however, with significant budget constraints the department has put the Pleasant Ridge improvements on hold until funding becomes available. The Public Works Department has temporarily stabilized the building until arrangements of funding can be acquired. The Parks Director and Supervisor met with a structural engineer that is currently submitting a proposal for possible improvement suggestions. When this proposal is received it will be brought to the Committee for discussion.

**THE REC Complex:** Due to the Covid-19 situation, the department has slowly brought back a limited number of employees now that all areas of the building are currently open. The department is operating under limited hours until the demand is met to extend the hours for usage. Membership usage continues to increase each week as people feel more comfortable coming into the facility and attending activities. Our daily attendance continues to vary from day to day averaging around 175-230 people per day. At this time, we are still allowing members to freeze their accounts without a penalty until December due to the fear of Covid.





## DEPARTMENT OF LAND USE AND DEVELOPMENT

### INTEROFFICE MEMORANDUM

To: City Council  
From: Andrea Riganti, Land Use and Development Director  
Subject: Director's Report  
Date: September 12, 2020

#### Major Department Activities.

##### **Planning and Zoning**

- The Planning Commission met in September to consider two matters:
  1. PC 03-20 Final Plat of Drury Subdivision: A Minor Subdivision at 6900 N. Illinois. This application involved the division of one parcel into two lots. The submittal meets all of the technical requirements of the Development Code and was recommended for approval. The application will be forwarded to the Community Committee in October, after an additional document relating to the plat is prepared.
  2. PC 04-20 Special Use Permit with Site Development Plan to allow the construction of a restaurant with drive-thru at 6565 N. Illinois Avenue. Planning Commission recommended approval, and the application will be forwarded to Community Committee for the September 16 meeting.
- There was no Zoning Board of Appeals meeting in September.
- Following the Governor's recent announcement of new restrictions on restaurants, staff has been working with restaurants to accommodate outdoor dining. A temporary outdoor dining permit is required, and ensures that outdoor seating is properly barricaded from vehicle traffic, tents are properly anchored, and safe traffic circulation is provided.
- Staff is working with the Chick Fil A on N. Illinois to address traffic queuing concerns. An operational plan re-routing drive-thru traffic has been in place for several months, providing temporary relief. A long term solution has been proposed by the corporate real estate team. This plan is currently being reviewed by Lowe's. It will be presented to City staff for review once deemed acceptable to the impacted businesses. Staff is aware of similar drive-thru stacking issues at the Popeye's on N. Illinois and has been discussing options. A feasible plan has not yet been developed.
- Staff is working on the Bunkum Road TIF to hold the developer accountable for maintaining the streets and other developer owned properties (berm, guardshack). An agreement regarding potential acquisition of these properties has not been reached.
- Staff continues to provide planning and zoning assistance to realtors, residents, businesses and potential developers. This technical assistance includes preparing zoning verification letters, developing maps, analyzing the zoning code for concept feedback, reviewing permits for development code conformance, ensuring development adheres to Special Use Permit/entitlement

approvals, providing guidance on Planning Commission and Zoning Board of Adjustment applications and processes, and investigating zoning code violations.

- Staff is working with the economic development department to revise the Business Assistance Program, review the enterprise zone process, meeting with developers, and exploring the creation of an arts district.

### Code Enforcement

- The Code Enforcement Division helps to ensure the preservation, maintenance and improvement of buildings and properties through the enforcement of the International Property Maintenance Code and other municipal ordinances. There are three code enforcement officers, one of whom also responds to animal control issues. Code violations are identified through complaints and proactive inspections.

Recent activity prompted the division to refine its approach and focus on proactive inspections. Proactive inspections are divided into three categories:

	<b>DEFINITION</b>	<b>PRIORITY</b>	<b>APPROACH</b>
<b>Hot Spots</b>	Properties or areas identified as having frequent violations and history of non-compliance, are highly visible, pose a threat to public health/life safety.	High	Weekly inspections of each property  Progress monitored and tracked on "hot spot" list. No property is removed from the list unless there is sustained improvement.  If a violation is detected, notice is posted on the property and short-term abatement is required.
<b>Problem Properties</b>	Properties with four valid complaints/violations within a 12-month timeframe. Properties in this category do not have severe code issues that requiring immediate abatement, but are persistent nuisances. Examples include consistent grass violations, vacant properties.	High	Monthly inspection  Progress monitored and tracked on "problem property" list. A property may be elevated to a "hot spot" if merited. Problem properties remain on the list until there is sustained improvement.  If a violation is detected, notice is mailed to the owner with short-term abatement required.
<b>District Sweeps</b>	Inspections of a compact area within a district for potential code enforcement issues. This approach ensures no area of a district is overlooked and all properties are inspected.	Medium	Weekly  If a violation is detected, notice is mailed to the owner with appropriate abatement timeframe required.

Attached is the "Hot Spot" list.

When staff determines that there has been a violation of a code, the due process shall be followed in the manner prescribed by municipal ordinances and state statute. The process, in brief is:

1. Issue written notice (a courtesy letter preceding citation) describing the real estate, providing a statement of the violation, and including a correction order allowing a reasonable time to make repairs and improvements to bring the structure into compliance. The "reasonable time" is determined by nature of issue. The notice must also inform the property owner of the right to appeal. Methods of service are prescribed by code and include personal delivery or by first class mail.
2. Any person failing to comply with a notice of violation will be cited and ordered to appear in municipal court. The court dockets are usually set three to four weeks out.
3. The court judge will hear the case, following procedural due process, and may continue the case, impose penalties or dismiss the case. It is important to note that a case can only be heard by the judge if the defendant is present. Otherwise the case will be continued until such time that a warrant to appear in municipal court is issued.

The court is independent of the City. Though staff make recommendations for penalties to the court, decisions are at the discretion of the judge.

- Staff continues to work with the Public Works Department on nuisance abatement matters.
- Staff began larvaciding of drainage ditches and ponding areas.
- Staff continues to respond to animal control calls. In August there were five dogs captured.

### **Building Division**

- Staff continues to perform plan review and building related inspections.
- Major construction projects underway include site grading work at the Fountains subdivision, construction of storage units, site work at MotoMart on Lincoln Highway/Old Collinsville Road.
- There were 134 permits issued by the Department in August. These include residential occupancy permits, building permits, commercial occupancy permits, and special event permits.

<b>AUGUST DEPARTMENT ACTIVITY</b>	
Residential Occupancy Permits Issued	91
Building Permits Issued	39
Commercial Occupancy Permits Issued	2
Special Event Permit	2

- There are 23 buildings on the unsafe structure list. These buildings are structurally compromised and found to be dangerous to the life, health, property or safety of the public or occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, dilapidated, structurally unsafe or unstable. These structures are monitored by the Building Division on a monthly basis. All of the properties have been issued citations but are non-compliant. When appropriate, the City files a case with the Circuit

Court for demolition. This is a lengthy and costly process, with delays often caused by property owner appeals. If a judge issues a demolition order, the city will take action to have the property demolished and place a lien on the property.

Unsafe structures are regularly monitored, the frequency of which is determined by the condition of the structure.

## UNSAFE STRUCTURES AS OF SEPTEMBER 4, 2020

TOP PRIORITY (In the demolition process)					
ADDRESS	OWNER	DESCRIPTION	DATE CONDEMNED	RECOMMENDATION (REPAIR/DEMOLISH)	STATUS
9716 Ridge heights	William & Nancy Scofield	Single Family Dwelling	3/14/2014	Demolition	Demolition order approved
9755 Greenridge Hgts	DIAMANTE CAPITAL	Single Family Dwelling	5/21/2013	Demolition or Repair	in court
25&27 Sharilane Drive	St Clair Count Trustee	Duplex	6/6/2016	Demolition or repair	citations issued

OTHER UNSAFE STRUCTURES					
ADDRESS	OWNER	DESCRIPTION	DATE CONDEMNED	RECOMMENDATION (REPAIR/DEMOLISH)	STATUS
9608 Old Lincoln Trail	AAFAB	Single Family	8/30/2013	Demo Or Repair	
10319 Lincoln Trail	Vista Securities	Commercial	2/18/2014	Demo or Repair	
208 Elvira Dr	Christopher King & A. Butler	Single Family	5/13/2020	Demo	Fire Damage
34 Pine Trail	Keith & Linda Santamour	Single Family	4/20/2016	Demo Or Repair	
9210 Highland Park Rd	Richard Egbert	Single family	4/26/2017	Repair	
72 Bayberry Drive	DIAMANTE CAPITAL	Single Family	8/16/2012	Repair	
8921 Old Bunkum Rd REAR	1rst Alliance Real Estate Inc.	Mobile Home	1/30/2017	Demo or Repair	
8921 Old Bunkum Road	1rst Alliance Real Estate Inc.	Single Family	1/30/2017	Demo or Repair	
8921 1/2 Old Bunkum Road	1rst Alliance Real Estate Inc.	Single Family	1/30/2017	Demo Or Repair	
1703 Pontiac Road	Shane Hale	Mobile Home & Access	10/27/2017	Demolition	
1435 Magdalena Ave	Kristina Johnson	Single Family	12/13/2017	Demo Or Repair	
66 Montclair	Jesse Henley	Single Family	3/28/2018	Repair	
9622 Old Lincoln Trail	Dwayne & Pamela Estes	Single Family	4/6/2018	Repair	
8923 Old Bunkum Road	Dale & Nicole Cochran	Single Family	6/5/2018	Demo Or Repair	
9733 Old Lincoln	Frank Degenhardt	Single Family	6/11/2018	Repair	
8923 Bunkum Road	Gerald Stickland	Single Family	10/29/2018	Repair	
1513 Pleasant View Drive	Leo Fischer	Single Family	5/16/2019	Demolition	
205 Ashland	Patrick Wongler	Mobile Home & Access	9/11/2019	Demo Or Repair	
29 Lexington	Steven Atkinson	Single Family	12/3/2019	Repair	
9122 Summit	Steven Galvez & Brittany farris	Single Family	1/29/2020	Repair	

Please let me know if there are questions or comments.



Weekly Patrol Hot Spots

Week of Sept. 8 - 11							
Not Started	Citations Sent			Compliance	Severe	Abatement Period	
OFF	ON			ON	ON	ON	

Task	Status	Owner	Assigned to	Letter sent	Citation Sent	Court Date	Checked this week	Bills/Liens	Additional Notes
Americana Circle Vacant Lots	Compliance	en Custom Home	Felicia W						
405 Anita Drive	Compliance	& VIVIAN L ENZ	Felicia W				9/10/2020		in compliance 9-10-20
213 Candlelight Drive	Compliance	CANDLELIGHT DR	Ed. F	7/29/2020			9/10/2020		In compliance 9/10/2020
233 Candlelight Drive	Compliance	GARY E. ADAMS	Ed. F				9/10/2020		In compliance 9/10/2020
*** Chateau Plaza	Severe	CHATEAU PLAZA II	Justin W.	8/12/2020	No	No	9/1/2020		
*** 95 Circle Drive	In Progress	Evelyn Bilyet	Justin W.	Yes	Yes	9/10/2020	9/8/2020		No show on 9-10 Issued Ex Parte convic. of \$500.00 total
*** 104 Circle Drive	Abatement Period	Scott May	Justin W.	Yes	No	N/A	9/8/2020		Prior conviction of \$200.00
66 Concord Drive	Compliance	ELENA LEHR	Ed. F	No	No	N/A	9/10/2020		Extra full trash can curbside for pick-up. Will attempt to check tomorrow
Crossroad Centre	Compliance	EAST CAPITAL I	Justin W.	No	No	N/A	9/8/2020		In compliance 9/8/2020
408 David Drive	In Progress	James Turns	Felicia W	Yes	Pending	Pending	9/10/2020		Citations to be issued for brush piles
*** 208 Elvira Drive	Severe	Sean King	Felicia W	Yes	Yes	9/17/2020	9/8/2020		Dumpster gone, junk still remains
*** 60 Hollandia Dr. (Dumpsters)	Severe	LS RENTAL PROPERTY INC	Ed. F	Yes	Yes	9/24/2020	9/10/2020		Minimal trash inside enclosure will keep monitoring
*** Huntleigh Drive (Berm) & Guard Shack	Severe	Rich Shelton	Justin W.	Yes	Yes	9/24/2020	Roof in repair		Roof repaired
417 Kim Drive	Compliance	HISHAR LETTIE	Felicia W	No	No	N/A	9/10/2020		Have active building permit
29 Lexington Dr.	In Progress	IVINE ATKINS	Felicia W	Yes	Pending	Pending	9/10/2020		Ready for citations as of 9-10-20
*** 10319 Lincoln Trail	Severe	Vista Securit	Justin W.	Yes	Yes		9/2/2020		No change BT set. Will give dail citations
Lowe's	Compliance	DEPT LOWES II	Ed. F	No			9/10/2020		Compliance as of 9/10/20
208 Oulvey Drive		MARTIN P SCHAEFER	Tom/Felicia						
8 Pine Trail	compliance		Ed. F	No	No	N/A	9/10/2020		In compliance as of 9/10/2020

Task	Status	Owner	Assigned to	Letter sent	Citation Sent	Court Date	Checked this week	Bills/Liens	Additional Notes
45 Potomac Drive	In Progress	ANCHOR FUND LLC	Ed. F	No	No	N/A			Grass 6-7 inches will have cut next week by way of PW
54 Potomac Drive	Compliance	& JENNIFER M SPIRIT	Ed. F	No	No	N/A	9/10/2020		Vacant no change 9/10/20
*** Smokey Bones	Severe	MASTER FUNDING VII	Felicia W			10/1/2020	9/10/2020	No change	Letter sent for grass
9951 South Road	In Progress	Dorian Bauer	Justin W.	Yes	Yes	10/8/2020	9/8/2020		No change vehicles remain with junk too
9964/66 South Road	Compliance	Jeff Stratmar	Justin W.		No	No	9/2/2020		In compliance 9/2/2020
St. Clair Square	Abatement Period	ASSOCIATES PF	Ed. F	No	No	N/A	9/10/2020		Work in progress with property management
9125 Summit Drive	Compliance	DSV SPV2 LLC	Justin W.	No	No	No	9/8/2020		In compliance 9/10/2020
1415 Magdalena Ave.	In Progress		Justin W.	Yes	Yes	9/24/2020	9/10/2020		Will call health department 9/11 for continuous trash issues



## DEPARTMENT OF LAND USE AND DEVELOPMENT

September 11, 2020

Fairview Heights City Council  
10025 Bunkum Road  
Fairview Heights, IL 62208

Dear Community Committee Member:

The petition listed below is hereby transmitted for your consideration at the September 16, 2020 Community Committee:

**APPLICATION NUMBER:** PC-04-20

**REQUEST:** Special Use Permit (SUP) with Site Development Plan to allow the construction of a restaurant with drive-thru at 6565 N. Illinois Avenue

**APPLICANT NAME:** Raising Cane's LLC c/o Robert Vann, 6800 Bishop Road, Plano, TX 75024

**MEETING DATE:** September 16, 2020

**ZONING:** PB-Planned Business

**COMMUNITY COMMITTEE ACTION:** Consideration of Planning Commission's recommendation of SUP and Site Development Plan, forward to City Council which has final authority to approve or deny the request.

Community Committee and City Council are being asked if accept or object to Planning Commission's recommendation. Attached is the staff advisory and Plan Commission Resolution pertaining to the request.

Respectfully,

*Jim Bramstedt*

Jim Bramstedt, Chairman  
Planning Commission

Planning Commissioner Wesemann introduced the following resolution and moved for its adoption:

RESOLUTION PC 04 -20

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL OF REQUEST FOR A SPECIAL USE PERMIT AND SITE DEVELOPMENT PLAN FOR 6565 NORTH ILLINOIS WITHIN THE "PB" PLANNED BUSINESS DISTRICT.

WHEREAS, Robert Vann, on behalf of Raising Cane's, hereinafter referred to as the "Applicant," has properly applied for a Special Use Permit with Site Development Plan for the construction of a restaurant with drive-thru within the "PB" Planned Business District located at 6565 North Illinois Street, PIN 03280204010.

NOW THEREFORE, BE IT RESOLVED BY THIS PLANNING COMMISSION OF THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, STATE OF ILLINOIS that the findings of fact relating to the request are determined to be as follows:

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on September 8, 2020 and that said public hearing was properly conducted and that the minutes of said public hearing are hereby incorporated by reference.
2. The subject properties are zoned "PB" Planned Business District.
3. That this permit will not require changes to traffic circulation and ingress/egress. An operational traffic circulation plan has been submitted if changes should occur and shall be refined if needed.
4. That this permit will not require minor enhancements to landscaping, lighting, landscaping and the existing site usage.
5. That the proposed use will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.
6. That the proposed use will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.
7. That the proposed use will not be hazardous or disturbing to existing neighboring uses.
8. That the proposed use will be served adequately by public facilities and services such as highways and streets.
9. That the proposed use will not create excessive additional requirements at public cost for public facilities and services, and it will not be detrimental to the economic welfare of the community.

10. That the proposed use will not involve activities and uses that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke fumes, glare or odors.
11. The proposed use will be consistent with the Comprehensive Plan.
12. That this Special Use Permit and Site Development Plan approval will allow the applicant's development of a restaurant with drive-thru as proposed by the Applicant.
13. That the Permittee shall be responsible for all City costs incurred in administering and enforcing this Permit.
14. That the Director of Land Use, and her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
15. That this Special Use Permit shall automatically expire if the use is not initiated within one year of City Council approval.
16. That this approval allows for the development in keeping with the presented site plan.

The motion for the adoption of the foregoing resolution was duly seconded by Barkley; upon vote being taken thereon, the following voted in favor thereof: Mensing, Wesemann, Hoppe, Barkley, Coleman, Smith, McCarthy, & Bramstedt

and the following voted against the same: None.  
and the following abstained: None.  
and the following were absent: Herrington,  
Moats, & Carthen

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 8th day of September 2020.

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Planning Commission Chairman

**ATTEST:**

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Land Use Director



## DEPARTMENT OF LAND USE AND DEVELOPMENT

### TRANSMITTAL TO PLANNING COMMISSION

**APPLICATION NUMBER:** PC-04-20

**REQUEST:** Special Use Permit (SUP) with Site Development Plan to allow the construction of a restaurant with drive-thru at 6565 N. Illinois Avenue

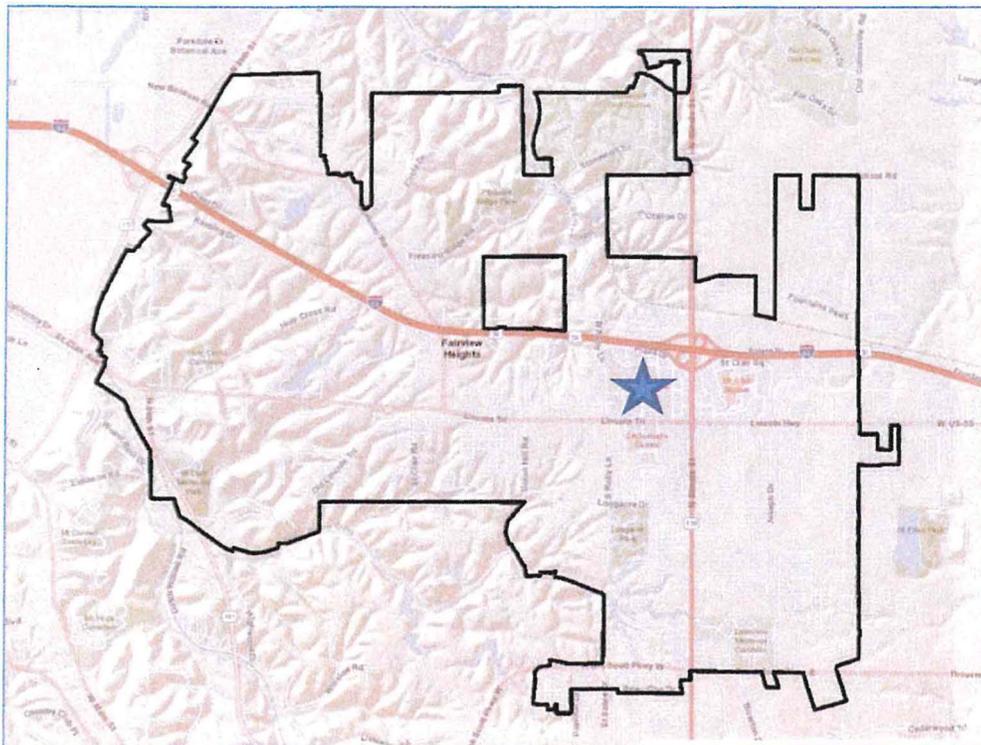
**APPLICANT NAME:** Raising Cane's LLC c/o Robert Vann, 6800 Bishop Road, Plano, TX 75024

**MEETING DATE:** September 8, 2020

**ZONING:** PB-Planned Business

**PLANNING COMMISSION ACTION:** Consideration of the SUP and Site Development Plan, make recommendation to the Community Committee and City Council which has final authority to approve or deny the request.

**GENERAL LOCATION:**



# STAFF ADVISORY

## 1. BACKGROUND

The City of Fairview Heights Development Code divides the City into districts and establishes a set of land uses that are either “permitted” or “special”. Permitted uses are compatible land uses authorized as a matter of right. Special uses are those that may cause potential conflict depending on the scope of the operation. A special use may be allowed after a review by Plan Commission and City Council, in accordance with Development Code section 14-10-8. Each special use is evaluated on its own merits.

The subject property located at 6565 N. Illinois Street is zoned PB-Planned Business. This zoning district is intended for a variety of commercial uses such as retail, office, and restaurant uses. The restaurant use is permitted; however, a Special Use Permit with Site Development Plan is required when there is a substantial change to an approved PB-Planned Business development site plan or there could be impacts to traffic, noise or adjacent uses. A new process is required with this redevelopment due to the proposed drive-thru.

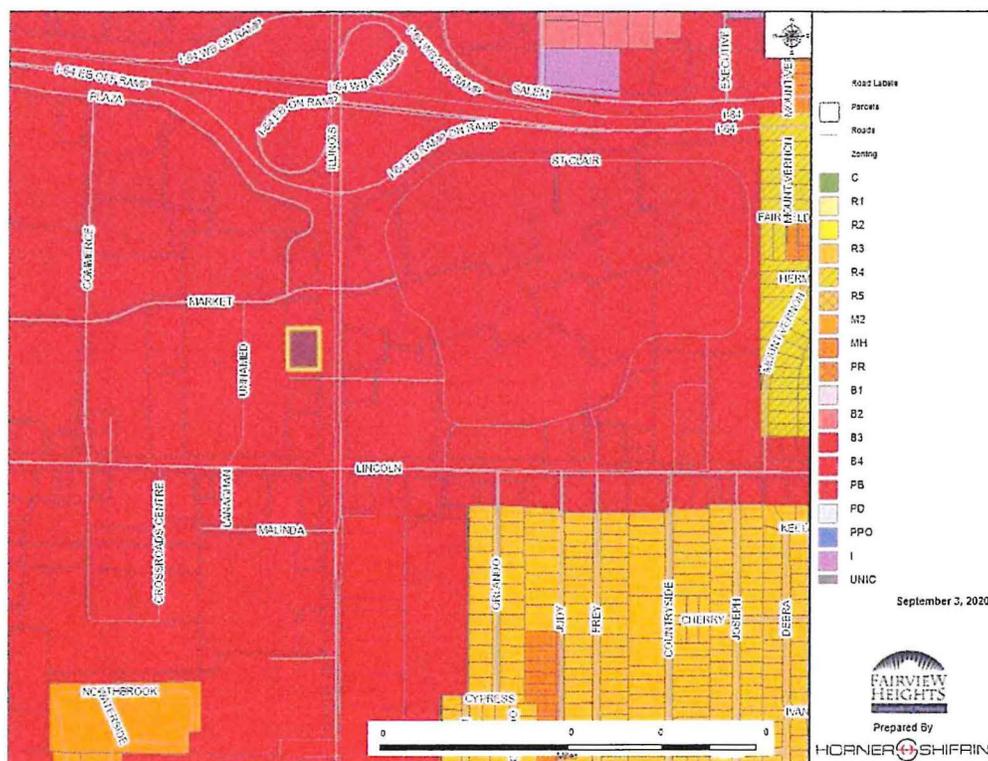
## 2. DISCUSSION

### Context

The subject property is located in the east-central part of the City, south of Interstate 64, west of North Illinois and north of Lincoln Trail. The parcel is approximately 1.16 acres and the former use was a restaurant (former Ruby Tuesday’s).

The adjoining properties are zoned PB-Planned Business. The surrounding land uses are consistent with zoning and include Dick’s sporting goods, Office Max, Fresh Thyme, Walgreens, Home Goods and more. St. Clair Square Mall is located to the east of the site across North Illinois Street.

### Zoning: Site and Surrounding Areas



## Aerial Map



## General Project Information

The proposed development includes the construction of a 3,332 square foot single story building to be used as a restaurant with drive thru. There will be interior and exterior seating. The building height at the tallest point is 19' 10". There will be 43 parking spaces provided, including two ADA spaces.

The existing restaurant building (former Ruby Tuesday's) will be demolished. The site will be modified for the proposed development. The existing southern wall will be moved to the north to provide more distance from adjacent entrances. Landscaping will be provided around the perimeter of the property and building.

The hours of operation will be 10:00 a.m. to midnight, Sunday thru Thursday and 10:00 a.m. to 1:00 a.m. Friday and Saturday. Approximately 50-75 full and part-time employees will be hired, with an average of 12 employees per shift.

## Planning Considerations

At issue is whether or not the proposed addition is reasonable as per the Development Code for Site Development Plans, the PB-Planned Business District and SUP standards.

### I. **Analysis: Site Development Plan and PB-Planned Business District**

The proposed project is in substantial conformance with the requirements of the Development Code and the "PB" District. The intent of the "PB" district is to generate development consistent with good planning practice

and compatible with adjoining properties. In making a recommendation, Planning Commission shall address general planning considerations and make conditions specific to the site development plan. Following are the criteria outlined in Section 14-2-14-G.3 and proposed conditions, where applicable:

**(a) Permitted uses, including maximum floor area.**

*The permitted use is quick-serve restaurant with drive-thru. The proposed building is 3,332 square feet. Minor increases or decreases to the square footage are permitted, provided that said differences are not substantial or substantially alter the overall development.*

**(b) Performance standards. (Performance standards regulate the intensity of land use to prevent adverse impact on abutting and nearby properties.)**

*The premises shall be maintained in good condition, free from trash and debris.*

*Noise emanating from the use shall not be of such volume or frequency as to be unreasonably offensive at or beyond the property line. Unreasonably offensive noises due to intermittence, beat frequency or shrillness shall be muffled so as not to become a nuisance to adjacent uses.*

*No obnoxious, toxic or corrosive matter, smoke, fumes or gases shall be discharged into the air or across the boundaries of any lot in such concentrations as to be detrimental to or endanger the public health, safety, comfort or welfare or to cause injury or damage to property or business.*

**(c) Height limitations.**

*The building height is proposed to be +/- 20' at the highest point, which is below the maximum height permitted.*

**(d) Minimum yard requirements.**

*n/a*

**(e) Off-street parking and loading requirements**

*A restaurant use of this size is required to have 40 parking spaces, two ADA accessible. The development exceeds this requirement and is providing 43 spaces, two ADA. Each parking space is 9'x18', which is in keeping with the Fairview City Centre shopping district indentures. The interior drive aisles are 24', which exceed the 22' minimum requirement.*

*The landscaping requirements of the Development Code are met, with curbed landscaped islands at the ends of parking aisles.*

*The project meets other parking and loading requirements for surfacing, access, and ingress/egress.*

**(f) Sign regulations**

*A sign package has been submitted. The size, number, and location are acceptable in concept as proposed, subject to further review during the permitting process.*

**(g) Minimum requirements for site development plans.**

*The minimum requirements for site development plans include depicting the location of buildings, parking areas, traffic circulation, landscaping, utilities, and drainage. These requirements have been met.*

**(h) Time limitations for commencement of construction.**

*Within one (1) year of approval, construction shall commence. The applicant may apply for one (1) extension of time limitation from the City in writing explaining extenuating circumstances.*

(i) *Trust funds, impact fees, surcharges and connection fees.*

*The applicant will pay all applicable fees and meet all permitting requirements of any utility or other jurisdictional unit.*

(j) *Rights of way dedication and road improvements.*

*n/a*

### Other Development Guidelines

Article III General Development Regulations define design requirements that apply to specific zoning districts and/or type of development. The following sections are applicable to this project:

*14-3-8.2(c) Exterior storage of equipment and supplies shall be enclosed by a wall or fence at least six (6) feet high and of materials and color complimentary to the principal structure.*

*This requirement has been met. The dumpster will be enclosed and screened as required.*

#### *14-3-34 Stormwater management*

*The Fairview City Centre development, inclusive of the subject property, was designed and constructed as per an approved stormwater management plan. The site plan has been reviewed by the Department of Public Works. The redevelopment of the property is not anticipated to increase stormwater runoff. Therefore, it has been determined that the previously approved plan is adequate for the development under consideration.*

#### *14-3-35 Exterior building material and design; business and industrial districts*

*The proposed building scale, massing, design, and architectural treatments meet the design guidelines. The construction materials and exterior are in keeping with the minimum requirement of sixty (60%) glass and/or masonry materials. The building will be constructed with a mix of glass, brick, metal, EIFS, and aluminum.*

Article IV Supplementary Land Use and Area-Bulk Regulations define standards that apply to specific zoning districts and/or type of development. The following section is applicable to this project:

#### *14-4-10 Lighting Controls*

*The lighting provided by the development meets the adequate standard of illumination over the site. The light fixtures shall be designed to prevent glare or other objectionable problems to surrounding areas, pedestrians and vehicular traffic.*

## **II. Special Use Permit Analysis**

1. The effect the proposal would have on the City's comprehensive plan.

**Finding:** *The City's Comprehensive Plan identifies the subject property as retail/commercial. Therefore, the proposed use is consistent with the intent of the comprehensive plan.*

2. The effect the development would have on schools, traffic, streets, shopping, public utilities and adjacent properties.

**Finding:** *The project is the redevelopment of an existing site. It is not expected to impact the schools or public utilities.*

*The anticipated traffic generated was obtained by comparison of a traffic impact study in a similar community. A maximum drive-thru queuing value of 9 was obtained from an operational Raising Cane's. The off and on-site traffic impacts of similar developments in the City were studied. These studies and observations were contemplated during site design. To accommodate potential traffic*

*volume and mitigate off-site drive-thru queueing, the south entrance was moved further to the north. Two drive thru lanes are provided. The applicant has also developed an operational plan that can be implemented if necessary. It will be reviewed and refined if needed.*

3. Is the application necessary for the public convenience at that location?

**Finding:** *N/A*

4. In the case of an existing nonconforming use, will a special-use permit make the use more compatible with its surroundings?

**Finding:** *N/A*

5. Is the application so designed, located and proposed to be operated that the public health, safety, and welfare will be protected?

**Finding:** *The development as designed and proposed to be will not have a negative impact on public health, safety and welfare.*

6. Will the application cause injury to the value of other property in the neighborhood in which it is located?

**Finding:** *The proposed use is not anticipated to have a harmful impact on surrounding properties. It is expected to improve the value of surrounding properties.*

7. Will the special use be detrimental to the essential character of the district in which it is located?

**Finding:** *A restaurant with drive-thru is in keeping with the essential character of the district.*

#### Exhibits

1. Application and Supporting Documents
2. Public notice
3. Resolution and Findings of Fact

## PROJECT INFORMATION FOR SPECIAL USE PERMIT

Project Name: RAISING CANE'S – FAIRVIEW HEIGHTS  
Project Address: 6565 N. ILLINOIS STREET, FAIRVIEW HEIGHTS, IL 62208  
Parcel ID: 03280204010  
Current Use of Property: EXISTING RESTAURANT  
Project Size/Acreage: 1.16 AC  
Number of Lots: 1  
Density: N/A

## CONTACT INFORMATION FOR SPECIAL USE PERMIT

Property Owner(s): FAIRVIEW CITY CENTRE, LLC – ATTN BRIAN NELTNER  
Mailing Address: 400 TECHNE CENTER DRIVE, SUITE 320, CINCINNATI, OHIO 45105  
Phone: 513-332-9960  
E-Mail: BNELTNER@SELECTSTRAT.COM

Applicant/agent: RAISING CANE'S, L.L.C (CONTACT: ROBERT VANN/ROBERT MONTGOMERY)  
Relationship to owner: LAND PURCHASER  
Mailing Address: 6800 BISHOP ROAD, PLANO, TX 75024  
Phone: (817) 219-8266  
E-Mail: [JRVANN61@GMAIL.COM](mailto:JRVANN61@GMAIL.COM) / [RMONTGOMERY@RAISINGCANES.COM](mailto:RMONTGOMERY@RAISINGCANES.COM)

## AUTHORIZATION

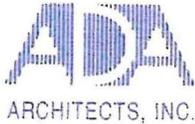
I hereby certify that the above information and accompanying documents are true and accurate to the best of my knowledge and are consistent with the ordinances relating to this application. I also understand that as the applicant, it is my responsibility to obtain all additional approvals, permits or licenses required by any applicable regulatory agency for this project.

I consent that the entry upon the premises described in this application by an authorized official of Fairview Heights, Illinois for the purpose of inspecting or of posting, maintaining, and removing such notices as may be required by law.

THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT SIGNATURE OF THE OWNER OF RECORD OR AUTHORIZED APPLICANT/AGENT.

Signature of Owner:  Date: 8/10/2020  
Printed Name: Brian Neltner

Signature of Applicant:  Date: 8/10/20  
Printed Name: Robert Montgomery



17710 DETROIT AVENUE  
LAKEWOOD, OHIO 44107  
TEL. (216) 521-5134  
FAX (216) 521-4824

August 11, 2020

City of Fairview Heights  
Planning & Zoning Division  
10025 Bunkum Road  
Fairview Heights, IL 62208

**Regarding:**  
**595 Raising Cane's**  
**6565 N. Illinois Street**  
**Fairview Heights, IL 62208**

**Our Project No. 20197**

Dear Planning Commission,

The proposed development is to construct a 3,332 SF quick-serve restaurant – Raising Cane's Chicken Fingers - with drive through lanes, interior and exterior seating, and utilizing the current property extents. The development is located within the Fairview City Centre shopping complex on an out parcel near Lincoln Trail entry off North Illinois street.

We will be demolishing the existing building and modifying the site to work for the new Raising Cane's establishment. Our development efforts are anticipated to be a 12 month process from August to August with construction being around a 4 month process.

The location is zoned for our use, with the exception of our need of a SUP on the drive through lanes and, we have been thrilled to hear the positive feedback from the community for our inclusion to your city.

There will be minimal grading requirements as this site is already in good standing for our intent. Our site will expose the area to high customer activity with our drive throughs but, our site design will alleviate the surrounding properties from inconvenient overflows.

1. Enclosed is the SUP Site Plan for the proposed Raising Cane's restaurant which was created in conformance with the Submittal Requirements for Special Use Permit as noted on the Application for Special Use Permit. Among other things, this plan shows the general site layout and how it relates to the adjacent properties, traffic circulation, utility design, and landscape design. We believe this plan effectively portrays a design that meets the needs and desires of both the City and Raising Cane's.
2. The developed property already provides a restaurant. Our restaurant wouldn't effect schools or main road traffic. It will have very little impact on public utilities since they are already at the site. Our restaurant may improve shopping in the area due to our site being located in a shopping center. Adjacent properties are aware of our intent; there is expected to be no objections.
3. Our restaurant will provide public convenience as we offer many options for obtaining our food. It will also provide the public with a nearby option for quick serve dining or pick-up.
4. Yes. It will allow for more convenience to the public by allowing us to give the public options in providing quality food in these trying times. It will also allow us to operate as we intended.
5. The application is designed and proposed to protect the public's safety and welfare
6. Our application is expected to improve the value of other properties in the neighborhood in which we are located.
7. Legal description at 6565 N. Illinois St., Fairview Heights, IL 62208:  
Parcel 1:  
Lot 3 of the minor subdivision of Fairview Heights market place addition according to the plat recorded October 21, 2011 as document no. A02286211 St. Clair County, Illinois, excepting the coal and other minerals underlying the surface of said premises and all rights and easements in favor of the estate of said coal and other minerals, situated in St. Clair County, Illinois.

Parcel 2:

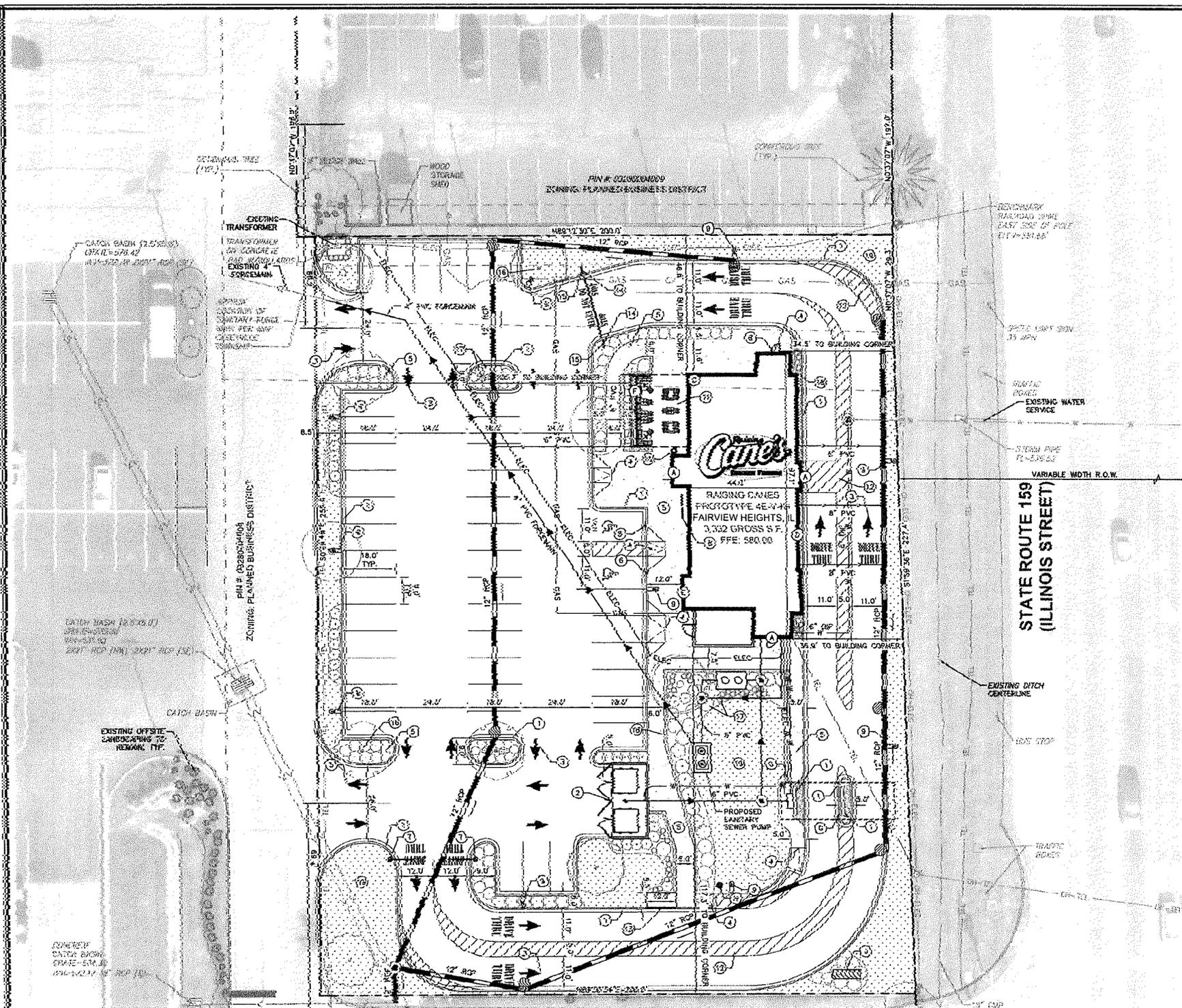
Perpetual non-exclusive easement for (1) pedestrian and vehicular ingress and egress; (ii) installation, operation, maintenance, repair and replacement of utility facilities; (iii) performing maintenance, repairs, resurfacing or replacements; and (iv) maintenance, repairs, replacement and alterations on or to a shopping center pylon sign and surrounding landscaping; perpetual exclusive easement to locate, place, construct and maintain a shopping center pylon sign; for the benefit of parcel 1, all according to the declaration of easements, covenants, conditions, and restrictions recorded on October 28, 2011 as document no. A02287160.

Should you have any questions, or require additional information, please contact our office.

Sincerely,

*Dustin Johnston*

Dustin Johnston  
ADA Architects, Inc

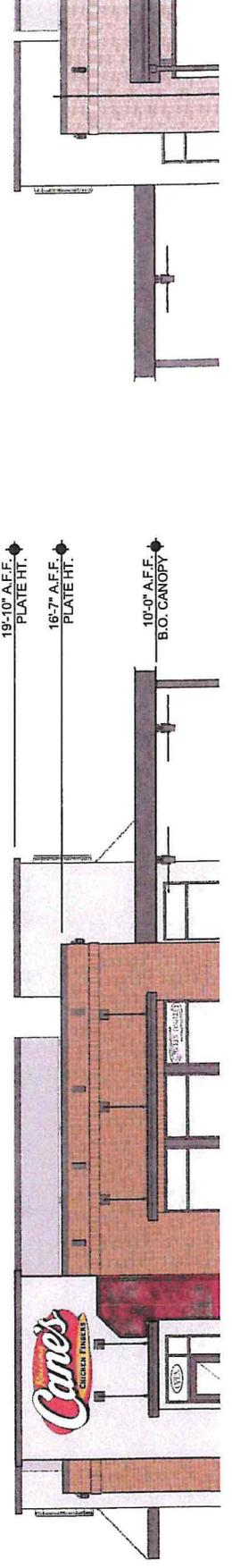
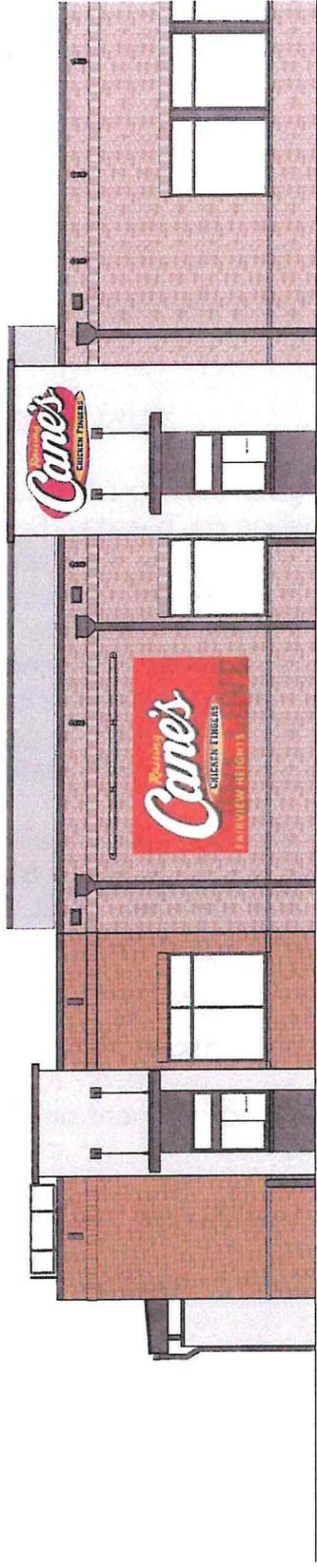
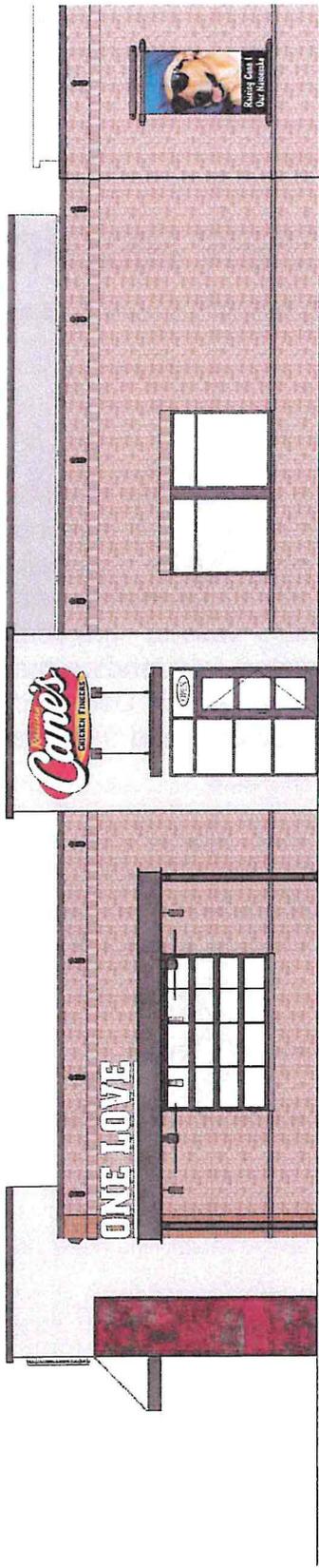


**SITE KEYNOTE LEGEL**

1	R6 12 BARRIER CURB AND GUT
2	RECYCLING TRASH DUMPSTER
3	DIRECTIONAL PAVEMENT MARK
4	BARRETT FREE RAMP
5	CONCRETE SIDEWALK TYP.
6	ACCESSIBLE PARKING SIGN
7	HEIGHT DETECTOR
8	BIKE RACK
9	LIGHT POLE 12'-0" POLICE ON 2
10	TRASH RECEPTACLE
11	COVERED PATH
12	PAVEMENT STRIPING
13	MUCK
14	STOP SIGN (MUTED R-1)
15	DO NOT ENTER SIGN (MUTED R-1)
16	CANOPY TREE TYP.
17	SHRUB, GRASSES TYP.
18	MUCK MOUND TYP.
19	TURF SOG TYP.

**PLANT SCHEDULE**

TREES	COMM	AMERIC
2		
2		FREEM
2		SAWLE/
3		SKYLINE
EVERGREEN TREES	COMM	EMERAL
5		
ORNAMENTAL TREES	COMM	PEKING
1		
SHRUBS	COMM	ANNAGE
5		
12		BLUE W
25		GRO-LO
5		ISANTI C
8		LITTLE C
11		LOW SC
17		MINJET
GRASSES	COMM	BLUE SI
9		
55		FEATHE
EVERGREEN	COMM	BLUE GI
14		SPARTA
20		TAUNTC



19'-10" A.F.F. PLATE HT.

16'-7" A.F.F. PLATE HT.

10'-0" A.F.F. B.O. CANOPY



## CITY OF FAIRVIEW HEIGHTS

10025 Bunkum Road ♦ Fairview Heights, Illinois 62208 ♦ Phone: (618) 489-2000 ♦ [www.cofh.org](http://www.cofh.org)

### **PUBLIC HEARING NOTICE**

Notice is hereby given that a public hearing will be held before the Fairview Heights Planning Commission on Tuesday, September 8, 2020 at 7:00 p.m. This meeting will be held both in-person in the Recreation Room of Fairview Heights City Hall, 10025 Bunkum Road, 62208 and virtually due to the COVID-19 pandemic and Governor J.B. Pritzker's Executive Order 2020-10, which waived physical attendance requirements for public meetings. Parties interested in attending the meeting virtually should contact Andrea Riganti, Director of Land Use and Development at (618) 489-2061 or [riganti@cofh.org](mailto:riganti@cofh.org) for instructions and visit the City's website for an agenda and meeting materials at [www.cofh.org](http://www.cofh.org).

At this meeting, the Commission will consider a Special Use Permit with Site Development Plan at 6565 N. Illinois Street to allow the construction of a restaurant with drive-thru. Also identified by St. Clair County PIN 03280204010 and legally described as: Lot 3 of the minor subdivision of Fairview Heights Market Place addition.

Request was made by Robert Vann, 6800 Bishop Road, Plano, TX 75024.

All persons desiring to be heard on this proposal may attend either in-person or virtually.

Dated this 18th day of August, 2020.

### **FAIRVIEW HEIGHTS PLANNING COMMISSION**

BY: Jim Bramstedt, Chairman

PC04-20

Planning Commissioner \_\_\_\_\_ introduced the following resolution and moved for its adoption:

RESOLUTION PC 04 -20

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL OF REQUEST FOR A SPECIAL USE PERMIT AND SITE DEVELOPMENT PLAN FOR 6565 NORTH ILLINOIS WITHIN THE 'PB" PLANNED BUSINESS DISTRICT.

WHEREAS, Robert Vann, on behalf of Raising Cane's, hereinafter referred to as the "Applicant," has properly applied for a Special Use Permit with Site Development Plan for the construction of a restaurant with drive-thru within the "PB" Planned Business District located at 6565 North Illinois Street, PIN 03280204010.

NOW THEREFORE, BE IT RESOLVED BY THIS PLANNING COMMISSION OF THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, STATE OF ILLINOIS that the findings of fact relating to the request are determined to be as follows:

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on September 8, 2020 and that said public hearing was properly conducted and that the minutes of said public hearing are hereby incorporated by reference.
2. The subject properties are zoned "PB" Planned Business District.
3. That this permit will/will not require changes to traffic circulation and ingress/egress. An operational traffic circulation plan has been submitted if changes should occur and shall be refined if needed.
4. That this permit will/will not require minor enhancements to landscaping, lighting, landscaping and the existing site usage.
5. That the proposed use will/will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.
6. That the proposed use will/will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.
7. That the proposed use will/will not be hazardous or disturbing to existing neighboring uses.
8. That the proposed use will/will not be served adequately by public facilities and services such as highways and streets.
9. That the proposed use will/will not create excessive additional requirements at public cost for public facilities and services, and it will not be detrimental to the economic welfare of the community.

10. That the proposed use will/will not involve activities and uses that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke fumes, glare or odors.
11. The proposed use will/will not be consistent with the Comprehensive Plan.
12. That this Special Use Permit and Site Development Plan approval will allow the applicant's development of a restaurant with drive-thru as proposed by the Applicant.
13. That the Permittee shall be responsible for all City costs incurred in administering and enforcing this Permit.
14. That the Director of Land Use, and her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
15. That this Special Use Permit shall automatically expire if the use is not initiated within one year of City Council approval.
16. That this approval allows for the development in keeping with the presented site plan.

The motion for the adoption of the foregoing resolution was duly seconded by \_\_\_\_\_; upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 8th day of September 2020.

---

Planning Commission Chairman

**ATTEST:**

---

Land Use Director

APPENDIX 1

Application #: \_\_\_\_\_

Business Assistance Program Application

Applicant Information

1. Name of Person Completing Application: Michael Needles
2. Address: PO Box 1005 Columbia IL 62234
3. Phone Number: 618 53 8300
4. Fax Number: 618 281 7926
5. Email: Sales @ Cajones inc. com

Business Information

1. Business Name: CA Jones Inc
2. Owner: Chris Jones
  - a. Representative of owner: Michael Needles
  - b. Does Representative have a financial interest in the project?  Yes  No
  - c. If yes, what is the percentage level of participation? \_\_\_\_\_ %
3. State of Organization: IL
4. Address: PO Box 1005 Columbia IL 62230
5. Phone Number: 618 281 7927
6. Fax Number: 618 281 7926
7. Email: Office @ Cajonesinc.com
8. Type of Business Entity: Corporation

Project Information

Provide the Street Address of the project: 10890 Lincoln Trail Fairview Heights

1. Is project located in
- Lincoln Trail Tax Increment Finance District (See Map Exhibit A)
  - Fairview Heights Tax Increment Finance District (See Map Exhibit B)
  - St. Clair Square Shoppes Tax Increment Finance (See Map Exhibit C)
  - St. Clair Square Shoppes Business District (See Map Exhibit C)
  
  - City of Fairview Heights (See Map Exhibit D)
  - Lincoln Trail TIF Façade and Site Improvement Program (see Map Exhibit E)
  - Fairview Heights TIF #4 (See Map Exhibit F)
  - Ludwig Drive TIF (See Map Exhibit G)
  - State Route 159 North TIF (See Map Exhibit H)
  - Enterprise Zone (See Map Exhibit I)

2. Have you completed an application for Site Plan Review (Appendix 2)?

- YES  NO

If Yes, attach a copy of your completed Site Plan Review application, *including copies of any Site Development Plans, Maps, or any other supporting documentation*. If No, contact the Director of Land Use, Planning, and Development to obtain and complete all necessary applications.

3. What is the current zoning classification of the property? B2  
Will the proposed project require a zoning amendment, variance, or special use permit? NO  
If Yes, provide application numbers and dates for each application: \_\_\_\_\_

4. What is the nature of the proposed project?

- New Construction  Expansion  Occupancy of Existing Building

If new construction specify as:  Commercial;  Residential;  Industrial

5. Provide a narrative description of the proposed project (attach additional pages if necessary). Applicant must be as specific as possible in describing: (1) the type of business proposed to be conducted at the site; (2) current condition of the site including size and condition of any existing structures, environmental conditions, and past uses of the site; (3) proposed development/redevelopment activities, scope of work, type of construction, etc.; (4) financing; (5) why Business Assistance Program monies are necessary for completion of the project; and (6) how the project is consistent with the goals and objectives identified in the TIF Redevelopment Plan or Business District Plan.

We plan on opening up a design studio for our customers to select options being built into their new homes throughout the metro east. We will remodel the current facility to create an interactive design experience. Our marketing offices will also be located in this building.

6. Are any public infrastructure improvements required for this project to proceed?

- YES  NO. If Yes, describe improvements required:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Will the applicant obtain competitive bids from local contractors and sub-contractors?

- YES  NO

8. Identify: Project Start Date: 9/15/20 and Project Completion Date: 11/30/20

Project Costs

1. Estimated Total Project Cost: complete the following worksheet

Remodeling/Rehabilitation/Expansion (TOTAL):	\$ <u>50,000</u>
Labor	\$ <u>20,000</u>
Materials	\$ <u>30,000</u>
New Construction (TOTAL):	\$
Labor	\$
Materials	\$
Capital Equipment:	\$ <u>15,000</u>
Site Improvements (Acquisition/Preparation, etc.):	\$ <u>10,000</u>
Other:	\$
<b>TOTAL ESTIMATED PROJECT COST:</b>	\$ <u>75,000</u>

\* Attach evidence (such as commitment letters or terms sheets) evidencing that the portion of the project funded by private investment will be financed, as well as the source of the funding.

Public Benefits

Provide the Property Identification Number (PIN) for each parcel of property comprising the proposed project area, as well as the current equalized assessed value (EAV) and property taxes as stated on the most recent tax bill for each parcel. Please provide an estimated projection of the EAV and taxes resulting from the project.

PIN	EAV	TAXES	Projected EAV	Projected TAXES
<u>07-28-0-401-012</u>	<u>98,274</u>	<u>7006.26</u>		

Existing sales subject to sales tax: \_\_\_\_\_

Proposed sales subject to sales tax: \_\_\_\_\_

Existing number of FTE jobs: 8

Proposed number of FTE jobs: 10-12

Indicate the total amount of financial assistance requested (in current dollars): \$ \_\_\_\_\_ .00

\* Attach data supporting the financial feasibility of the project, the projected performance outcomes of the requested financial assistance, or any professional studies or reports supporting the viability of the project.

Describe the public benefits that will be realized by the completion of this project. Examples of public benefits include, but are not limited to, creation of affordable housing, creation of new permanent jobs, creation of new retail choices in an underserved neighborhood, rehabilitation of a historic building, catalyst for new private investment in a neighborhood, re-occupancy of a vacant building, elimination of blight, incorporation of environmentally-friendly features, job training opportunities (attach additional sheets if necessary):

This project will bring positions to FTE where employees will shop a eat in the area. We will bring new home buyers to the area from all around the Metro east introducing them to the 1-3 amenities, restaurants & shopping



**\*Certified funds are required from any tax payer where a previous check was returned by their bank.**

**ANDREW LOPINOT, ST. CLAIR COUNTY COLLECTOR**

10 Public Square, Belleville, Illinois 62220

Pay your taxes on-line: [www.sccollector.com](http://www.sccollector.com)  
If you need assistance please call 618-825-2707.  
Electronic check payments, MasterCard, Visa, American Express and Discover are accepted on-line.  
A convenience charge will be applied to all on-line payments.  
Credit card payments will not be taken by the Treasurer's Office.  
The on-line payment system will be temporarily shut down at 3:00 p.m. on Oct 30, 2020 until 8:30 a.m. Nov 02, 2020. The on-line payment system will be shut down at 3:00 p.m. on December 04, 2020.

**Don't forget to pay your property taxes!**  
To enroll in the E-reminder program, send an email to: [treasurer@co.st-clair.il.us](mailto:treasurer@co.st-clair.il.us) put "e-reminder" in the subject line, and then you will be registered to receive a friendly reminder a few days prior to each due date.

1. Mail payments should be mailed to Post Office Box 23980, Belleville, IL 62223-0980.
2. Enclose coupon with your remittance to insure that your account is credited correctly.
3. **Make checks payable to St. Clair County Collector. Include Phone Number and Parcel Number on check.**
4. **Penalty Dates:** Penalty added at rate of 1.5% per month, for real estate and farm property on each installment until paid. Parts or fractions of month shall be reckoned as a month when payment is made after due date.
5. **If you are not the present owner of this property, please forward to owner. Collector is not responsible for payment of wrong tax bill.**
6. **After second due date, Banks cannot collect taxes.** All taxes must be paid online, by mail or in the Collector's Office.
7. Checks not honored by the bank will result in receipt being voided and the collector will make a charge of \$25.00. See statement at the top of this page.\*
8. Check your tax bill for exemptions allowed by Owner Occupied, Sr. Homestead Exemption, Senior Tax Freeze, Veterans w/ Disabilities Exemption and Persons w/ Disabilities Exemption. If you qualify for an exemption you did not receive, take your bill to the Assessor's/Board of Review's Office located in the St. Clair County Building immediately.
9. Request for duplicate tax bills will be \$2.00 per copy.
10. **No post-dated checks will be accepted.**
11. **Tax Objection (Protesting Taxes) Procedure:**
  - a) Must have had a previous assessment hearing with Board of Review;
  - b) Must pay taxes in full at the Collector's Office;
  - c) File protest application with the Circuit Clerk.

PENSION BREAKDOWN BY DISTRICT	TAX AMOUNT
ST CLAIR CO OTHER	
SOCIAL SECURITY	\$40.92
I. M. R. F.	\$86.56
SWIC DIST #522	
SOCIAL SECURITY	\$6.53
PONTIAC DIST #105	
SOCIAL SECURITY	\$48.95
I. M. R. F.	\$41.16
BELLEVILLE HS #201	
SOCIAL SECURITY	\$65.79
I. M. R. F.	\$55.16
FAIRV CASEY TWP FIRE	
FIREFIGHTER'S PENSION	\$106.39
CASEYVILLE ROAD	
SOCIAL SECURITY	\$2.20
I. M. R. F.	\$3.46

**The County Collector does not make your assessment, establish the tax rate or compute the amount of tax due. The prime function of the County Collector is collection of taxes. For information in these areas, contact the following:**

- |  |                |
|--|----------------|
| 1. Assessment - County Assessor                                | (618) 825-2704 |
| 2. Levies and Rates County Clerk                               | (618) 825-2365 |
| 3. Tax Payments - County Collector                             | (618) 825-2707 |
| 4. Address Change - Mapping and Platting                       | (618) 825-2525 |
| 5. Owner Occupied & Veterans w/ Disabilities Exmptn - Assessor | (618) 825-2704 |
| 6. Senior Tax Freeze - Assessor                                | (618) 825-2476 |
| 7. Senior Homestead Exemption - Bd of Review                   | (618) 825-2489 |
| 8. Persons w/ Disabilities Homestead Exemption - Bd of Review  | (618) 825-2489 |

The multiplier imposed by the Illinois Department of Revenue is intended to achieve uniformity among counties by raising or lowering the aggregate assessment of all non-farm property to 33-1/3% of market value. The multiplier is applied to the homesite on agricultural parcels.

**THIS BILL MAY BE PAID AT MANY BANKS IN ST. CLAIR COUNTY**

**UNTIL SECOND DUE DATE: 09/30/2020**

**OR AT THE COUNTY COLLECTOR'S OFFICE THROUGH 12/04/2020**

**COLLECTOR'S OFFICE HOURS 8:30 A.M. - 4:30 P.M.  
MONDAY THROUGH FRIDAY - PHONE (618) 825-2707**

IF PERSON PAYING TAXES IS NOT THE SAME AS NAME PRINTED ON FRONT, COMPLETE NAME AND ADDRESS BELOW.

CONTACT MAPPING AND PLATTING AT (618) 825-2525 TO CHANGE MAILING ADDRESS.

NAME AND ADDRESS OF PERSON PAYING TAXES.  
(IF DIFFERENT FROM FRONT)

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RETURN PAYMENT TO:

ST. CLAIR COLLECTOR  
POST OFFICE BOX 23980  
BELLEVILLE, IL 62223-0980



Closet

Mech. Room

Employee Rest Room

Office

Customer Rest Room

Break Room

Main Office

Conference Room

Smarketing Bullpen

Iron Spindle Half Wall

Flooring Display

tion Wall (Half to 3/4 Wall)  
as Display / Bathroom / Upgrades

Home Elevations

Exterior



## Design Center for McBride Homes

Not as proposed—provided only for illustrative purposes

#### 4. Enterprise Zone Application Review Procedures

NOTE: The Application Review Procedures set forth herein govern only Enterprise Zone Applications.

- (1) Applicants must first complete and submit the Business Assistance Programs Application (See Appendix 1) to City's Director of Economic Development.
- (2) Upon receipt of a fully completed Business Assistance Programs Application (hereinafter "application"), the Director of Economic Development shall review and distribute the application to the Mayor, City Administrator, Director of Land Use, Planning, and Development, and the Finance Director (hereinafter the "Business Assistance Program Review Panel or Review Panel") for preliminary review. The application shall also be submitted to the City Attorney for preliminary review.
- (3) Within two (2) weeks\* of distribution, the Review Panel will convene privately to discuss the project.
- (4) Within two (2) weeks\* after the Review Panel convenes, the applicant will be contacted to schedule a presentation of the project to the Review Panel.
- (5) Within two (2) weeks\* after the date on which the applicant presents the project to the Review Panel, the Economic Development Director shall prepare and submit a letter to the applicant (letter to the applicant) outlining the strengths and weaknesses of the project, including an explanation of any changes required before the application can advance, with copy to the Economic Development Commission.
- (6) Within two (2) weeks\* after the date on which the letter to the applicant is sent, or within ten (10) weeks\* after the application is initially distributed to the Review Panel, whichever is later, the applications will be placed onto the agenda for the next regularly scheduled public meeting of the Commission. If, after two weeks from the date on which the letter to the applicant was sent, the application fails to meet the requirements outlined in the letter to the applicant, such application shall be deemed withdrawn.
- (7) Upon receipt of an application which meets the requirements outlined in the letter to the applicant, the Economic Development Department shall prepare a Staff Advisory Report outlining the strengths and weaknesses of the project for the benefit and assistance of the Commission in considering the application. The Economic Development Department shall also prepare a Letter of Intent (See Appendix 3) for the benefit and assistance of the Commission in reviewing the project.
- (8) After consideration by the appropriate Commission at a public meeting, the respective Commission shall review and consider the Letter of Intent and recommend either approval of the Letter of Intent or denial of the application, to the Finance Committee.
- (9) At the next regularly scheduled meeting of the Finance Committee, the Committee shall review and consider the recommendation of the Commission on the Letter of Intent and shall recommend either approval of the Letter of Intent or denial of the application, to the City Council. If the Finance Committee approves the Letter of Intent, it shall sponsor a Resolution approving the Letter of Intent before the City Council.

- (10) At the next regularly scheduled meeting of the City Council, the Council shall review and consider a Resolution approving the Letter of Intent. The City Council shall approve the Resolution, deny the application, or refer the matter back to the Finance Committee with directions for reconsideration. If the City Council approves the Resolution by a simple majority of a quorum of the members present, the Economic Development Department shall begin preparing and negotiate a Development Agreement with the applicant. The Review Panel and City Attorney shall participate in the negotiation process as necessary.
- (11) Upon payment of the Business Assistance Program Application Fee, the proposed Development Agreement shall be placed onto the agenda for the next regularly scheduled Finance Committee meeting, at which the Finance Committee shall review the proposed Development Agreement. The Finance Committee shall either refer the matter back to the Economic Development Department with directions for further revisions or approve the proposed Development Agreement and advance it to the City Council for review.\*\*
- (12) If the Finance Committee approves the proposed Development Agreement, it must sponsor a Resolution authorizing the Mayor to enter into the proposed Development Agreement, to be considered by City Council at its next regularly scheduled meeting. The City Council shall consider the proposed Development Agreement and either approve the Resolution, deny it, or refer the matter back to the Finance Committee with directions for reconsideration.
- (13) The City Council reserves the right to reject any Business Assistance Program application without cause.
- (14) The City Council reserves the right to waive the processes set forth herein, upon good cause shown by the applicant.

If, upon completion of the Business Assistance Program Application Review Process set forth in Section Two herein, the Letter of Intent is approved, the City will prepare a "Development Agreement." Prior to the City executing the Development Agreement, the applicant must pay a "Business Assistance Application Fee" (the fee) equal to 2% of the Total Project Cost, not to exceed \$500.00. The fee covers the cost of legal review, analysis, and processing of the application. The Fee is non-refundable, but should the project be delayed or terminated by actions of the City of Fairview Heights, such fee will be reimbursed.

\*The time frames stated herein, except where required by statute, are advisory and not mandatory. Depending upon the complexity of the application, the City estimates that the Business Assistance Program Application review process will be completed within three (3) to four (4) months.

\*\*Until City Council approves the Development Agreement, no construction shall commence and no costs should be incurred.



## **ECONOMIC DEVELOPMENT DEPT.**

### Application for Enterprise Zone incentives

Michael Needles, on behalf of CA Jones, Inc. hereinafter referred to as the “Applicant,” has properly applied for assistance from the Enterprise Zone for renovation of the Applicant’s newly leased space at 10890 Lincoln Trail.

The Applicant proposes to remodel the former Cingular store at that location into a design center consolidating current locations in Bethalto, Columbia and Shiloh, Illinois into one central site. If approved by the City Council, the Applicant will be awarded a Building Materials Exemption Certificate (BMEC) providing a waiver of sales tax on building materials used in the proposed project. The Applicant certifies that the project cannot move forward but for the incentives provided through the Enterprise Zone.

Staff from both this department and Land Use & Development have reviewed the application and have concluded that it merits approval. While the project will provide only minimal additional sales tax, it has potential to increase traffic into the commercial core of the city that should increase sales at surrounding restaurants and retailers. The benefit to the City will accrue without any impact to revenues.

Staff has also reviewed the current procedures for approving Enterprise Zone incentives as part of the overall review of the Business Assistance Program (BAP). The current procedures mirror the procedures of the BAP and are unnecessarily time-consuming and onerous; consequently, staff recommends that City Council exercise the provision in article 14 of the procedures to waive the process for good cause.

Staff further recommends that this incentive, authorized through authority of the State of Illinois, should be procedurally uncoupled from other incentives offered through the authority of the City of Fairview Heights, even though the incentives may be bundled for marketing purposes.

### Supporting Materials

The following materials are presented in pages that follow, in this order:

- a. Application (four pages)
- b. Proposed floor plan
- c. Photo of a similar design center—the one pictured is operated by McBride Homes
- d. Current procedures for approving an Enterprise Zone application

# MEMORANDUM

TO: Elected Officials

FROM: Paul A. Ellis, Director of Economic Development

DATE: September 11, 2020

SUBJECT: Economic Dev. Dept. - Director's Report

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## Addressing Economic Distress

1. With bars and restaurants restricted from offering indoor dining, the Director has worked with The Fource to promote outdoor seating to the customers reached by the "All In" campaign; a new pop up window lists businesses offering outside seating and also directs business owners and managers to the necessary permit application to allow same if they haven't set it up already.
2. CBL & Associates Properties, the publicly traded real estate investment trust that owns and operates St. Clair Square, has successfully negotiated an arrangement with creditors that will allow for survival and growth; Mayor Kupsky recently sent a letter to the trust's CEO (attached) in support of CBL's economic stabilization.
3. Businesses in Fairview Heights have been successful in accessing financing and technical support from a variety of state and federal programs, and some have been successful winning resources from select private sources that the Director, in several cases, has helped identify and secure.
4. The Director continues to orchestrate communications between agencies, local businesses, property owners, and other City departments so as to support recovery and long-term success for as many enterprises as possible.

## Transitions

1. Raising Cane's Chicken Fingers, one of the top five sales tax producing chains in the nation, is seeking approval to establish a new location (replacing Ruby Tuesday) in Fairview City Centre.
2. CA Jones, Inc., one of the Metro East's largest homebuilders, has leased office space at 10890 Lincoln Trail (the former Cingular store) and proposes to consolidate three other locations into a design center; they have applied for Enterprise Zone incentives.
3. Two separate land use requests—one at the Exit 12 interchange and the other in Lincoln Place I—been submitted to lay groundwork for new construction serving retail uses; both projects are the result of outreach to property owners.
4. The Director is working with several entrepreneurs and has been assembling a support team of local investors to help leverage services that will soon be available through the Metro East Business Incubator (MEBI).

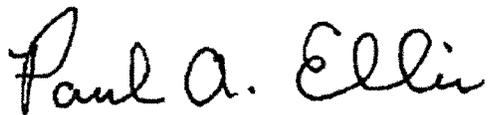
## Outreach

1. The Director hosted a meeting this week for the newly formed Midwest Business Brokers Association (MBBA), which helped build Fairview Heights' visibility with brokers across the region.

2. Work is beginning with The Fource to craft a “microsite” telling the story of Fairview Heights’ redevelopment in the area around Exit 12, incorporating examples of Planet Fitness, Chase Bank and others to show why Fairview Heights is a compelling location and how supportive the City is for development.
3. Retail recruitment continues despite potential roadblocks, with some property owners and some retailers pursuing more aggressive strategies than others; the Director continues to offer encouragement to property owners and brokers in order to increase the confidence in this market needed to get deals done.

Initiatives

1. The Director is working with the Director of Land Use & Development to recommend uncoupling of the Enterprise Zone incentives (principally waiver of sales tax on building materials) from other aspects of the Business Assistance Program, which is currently (temporarily) under moratorium.
2. The Director continues working with Land Use & Development, community partners and ArtSculpt International to explore creation of an arts district on the west side of town.
3. The Metro East Business Incubator (MEBI) is preparing to serve entrepreneurs and small businesses immediately via a virtual platform, Startup Space. ♥
4. As a member of the Mid America Workforce Investment Board (MAWIB), the Director is involved in establishing a retail and hospitality training center in Fairview Heights; the program is awaiting state approval. ♥
5. A staff team is working with local and regional real estate brokers to pursue interest from a big box retailer in the 72 acres across from The Fountains. ♥
6. The Director has worked with other department heads and outside experts to craft the second edition of the Development Dashboard, which incorporates tweaks from Aldermen and other reviewers. ♥

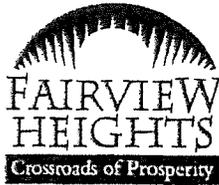


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Paul A. Ellis  
Director of Economic Development

Attachments:

- a. Letter to CBL CEO Stephen Lebovitz
- b. Concept: Raising Cane’s Chicken Fingers
- c. Development Dashboard – September 2020



From the office of the Mayor  
**Mark T. Kupsky**

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10025 Bunkum Road ♦ Fairview Heights, Illinois 62208 ♦ Phone: (618) 489-2000 ♦ www.cofh.org

August 31, 2020

Stephen Lebovitz, CEO  
CBL Properties  
CBL Center, Suite 500  
2030 Hamilton Place Blvd.  
Chattanooga, TN 37421

Re: CBL Properties' Filing & Future Prospects

Mr. Lebovitz:

We have followed, with interest, CBL Properties' recent economic struggles culminating in the decision to file for reorganization under Chapter 11. As it would appear that this decision opens the way for your future stabilization and growth, we congratulate you on successfully negotiating a viable plan.

CBL's St. Clair Square, which dominates the retail market for the southern half of Illinois and is one of the top performing malls in the St. Louis region, is absolutely essential to our local economy. Shortly after the City of Fairview Heights was incorporated fifty years ago, leaders here determined that sales tax would be the linchpin of our revenue stream and, accordingly, we do not and never have collected a municipal property tax. The result is that our city's fortunes rise and fall with the success of your mall and of the other centers and individual shops in our 3.5 million square feet of retail development.

Looking to the future, we want you to know that St. Clair Square is and will continue to be our community's highest economic priority. Our full time economic developer, Paul Ellis, is focused on retail and enjoys a close working relationship with Michael Hagen, GM for St. Clair Square. We look forward to future redevelopment of the mall and stand ready with our staff and other resources to support your future redevelopment efforts.

Sincerely,

Mark Kupsky, Mayor

cc: Michael Hagen, St. Clair Square  
David Neuhoff, CBL Properties  
Paul Ellis



## OUR CONCEPT



Our concept is simple and unique... we only have ONE LOVE – quality chicken finger meals! At Raising Cane's® you get an exceptionally high quality product served quickly and conveniently. We can do this because we offer a limited menu. The specialized systems developed by Raising Cane's® allow us to maintain a level of quality unmatched in the industry. Our commitment to this concept will not allow us to compromise our quality, cut corners or clutter our menu with new products that do not fit our core menu offering.



## The Vision

To grow restaurants all over the world and be the brand for quality chicken finger meals, a great crew, cool culture, and active community involvement.

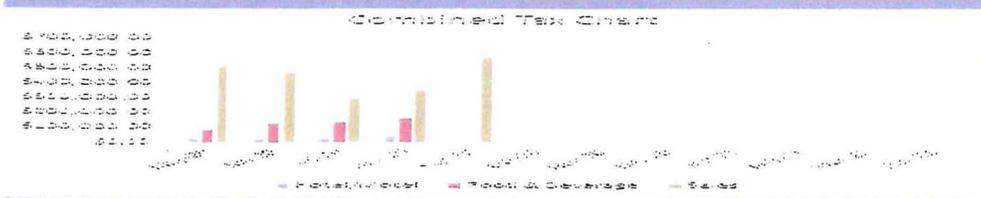


# DEVELOPMENT DASHBOARD



Paul Ellis, Director

<b>Municipal Revenues</b> + 24% m / - 6% y	<b>Adv. Job Openings</b> + 9%	<b>Commercial Vacancies</b> + 2%	<b>New Businesses</b> 42%	<b>Online Activity</b> + 43%	<b>Hotel Occupancy Reporting Begins Soon</b>
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Karen Kauffold, City Clerk

HELP WANTED

## Top Hiring Employers This Month<sup>a</sup>



Vicki Niederhofer,

**13%**

OFFICE

**11%**

RETAIL

**COMING SOON**



Mike Durbin, BARBER Murphy

NEW OPEN

Permanent businesses licensed in August:

- Heavenly Hair Ever After - 10880 Lincoln Trail
- Midwest Twisters - 6104 N. Illinois St.
- Salon & Spa Sanctuary - 4535 N. Illinois St.



Andrea Riganti, Director of Land

**2,622 Website Visits** (last month: 1,688)

**Users (on average) spent 3 min. 55 sec and visited 2.31 pages per visit**

**1,311 App Downloads**



Tom Faulkner, The Fource

**UNDER CONSTRUCTION**

**COMING SOON**

Hotel/Motel Taxes Fiscal Year 2020



Christine Orr, Tourism Bureau IllinoisOUTH

**New Project** Arts District - West side  
Staff is working with Smart Controls, Midwest Salute to the Arts, and ArtSculpt International, LLC to develop programs and properties that will support an arts district

<sup>a</sup> Monthly job listings for selected neighboring communities  
Alton - 210; Belleville - 499; Collinsville - 115; E. St. Louis - 225; Edwardsville - 326; Fairview Heights - 198; Granite City - 268; O'Fallon - 180; Scott AFB - 157  
Produced by the Economic Development Dept. - City of Fairview Heights, IL [Data from August 2020] Sept 2020 Edition